IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH)

WRIT PETITION No. 2109 OF 2006

PETITIONER :- Durga Chowbey, son of Ram Narayan Chowbey, aged about 27 years, occupation: Panchayat Karmi, village panchayat Barganwa, Janpat Panchayat Ambikapur, dist. Surguja (C.G)

Vs.

RESPONDENTS :-

1. State of Chhattisgarh: through: Director, Panchayat & Welfare Department, D.K.Bhawan, Raipur (C.G)

2. Upper Collector, Ambikapur, dist. Surguja (C.G)

3. Sub-Divisional Officer, Ambikapur, Dist.Surguja (C.G)

4. Chief Executive Officer, Janpat Panchayat, Ambikapur, dist. Surguja.

5. Sarpanch, village Panchayat, Barganwa, P.O. Barganwa, P.S.Darima, dist.Surguja (C.G)

R.R. No. 2/8/06
Presented by Shri Amar K. Sharma
dated 19/4/06

RECEIVED-COPY
10/4/06
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

(38)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 2109/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

27.4.2006

Dr. Shailesh Ahuja, Advocate for the petitioner.

Mr. Ashutosh Kachwaha, Dy. Govt. Adv. for the State.

Heard.

The main grievance of the petitioner is that respondent No.4 is not allowing the petitioner to join his duties on the post of Panchayat Karmi of Gram Panchayat Bargawan.

The case of the petitioner is that he was working as Panchayat Karmi in the Gram Panchayat Bargawan, his services were terminated vide order dated 24.2.2005 against which he preferred an appeal before the Sub Divisional Officer, Ambikapur which came to be dismissed vide order dated 8.11.2005. Aggrieved by the order of SDO, the petitioner filed a revision petition before the Upper Collector, Ambikapur and the Upper Collector vide order dated 24.2.2006 allowed the revision petition of the petitioner, set aside the resolution of Gram Panchayat dated 24.2.2005 and also the order dated 8.11.2005 passed by the S.D.O., but in spite of the order of Upper Collector dated 24.2.2006, respondent No.4 is not allowing the petitioner to join the duties of Panchayat Karmi.

Perusal of order dated 24.2.2006 passed by the Upper Collector in Revenue Case No.02/A-89/05-06 reveals that the Upper Collector has allowed the appeal, set aside the order of SDO and resolution of the Gram Panchayat, therefore, the petitioner is entitled for the

[पीछे देखिये

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	-2-	

reinstatement of services as Panchayat Karmi. The petitioner even made representation before the Chief Executive Officer, Janpad Panchayat, Ambikapur vide letter-dated 24.3.2006, but even then he has not been allowed to join the duties.

The action of respondent No.4 is prima-facie arbitrary and contrary to the decision of the Upper Collector, therefore, the respondent No.4 is directed to consider the representation of the petitioner and he should allow the petitioner to join the duties on the post of Panchayat Karmi, Gram Panchayat Bargawan in pursuance of the order of Upper Collector dated 24.2.2006.

With the direction aforesaid, the petition stands disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

[पीछे देखिये